

VINCENT A. PEPPER  
ROBERT F. CORAZZINI  
PETER GUTMANN  
JOHN F. GARZIGLIA  
NEAL J. FRIEDMAN  
ELLEN S. MANDELL  
HOWARD J. BARR  
LOUISE CYBULSKI \*  
JENNIFER L. RICHTER \*

PEPPER & CORAZZINI

ATTORNEYS AT LAW  
200 MONTGOMERY BUILDING  
1776 K STREET, NORTHWEST  
WASHINGTON, D.C. 20006  
(202) 296-0600

ROBERT LEWIS THOMPSON  
GREGG P. SKALL  
E. THEODORE MALLYCK  
OF COUNSEL  
FREDERICK W. FORD  
1900-1986  
TELECOPIER (202) 296-5572

August 30, 1993

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Washington, D.C. 20554

RECEIVED

AUG 30 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Amendment of Section 73.202(b),  
FM Table of Allotments  
Sun Valley, Idaho  
(NM Docket No. 93-183; RM-8276)

Dear Mr. Caton:

Transmitted herewith on behalf of Sun Valley Fine Arts Broadcasting is an original and four copies of its comments in connection with the above-referenced rule making proceeding. These comments are respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,

  
John F. Garziglia

Enclosures

No. of Copies rec'd  
List A B C D E

0+4

AUG 30 1993

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
Amendment of Section 73.202(b), ) MM Docket No. 93-183  
Table of Allotments, ) RM-8276  
FM Broadcast Stations. )  
(Sun Valley, Idaho) )

To: Chief, Allocations Branch

**FURTHER COMMENTS AND COUNTERPROPOSAL**

Sun Valley Fine Arts Broadcasting, by its attorneys, pursuant to Notice of Proposed Rule Making, DA 93-732, released July 8, 1993, hereby files its further comments in support of the allotment of FM Channel 298C to Sun Valley, Idaho.<sup>1/</sup>

Native Broadcasters of Idaho, in an August 26, 1993 filing, appears to propose the allotment of Channel 298C to Shelley, Idaho. In its filing, it refers to the allotment of Channel 298C to Shelley, Idaho once. It then goes on to refer to the allotment of Channel 298A to Shelley, Idaho six times. Assuming that Native Broadcasters of Idaho wishes the allotment of a Class C channel to Shelley, it is hereby counterproposed that that Channel 296C be allotted to Shelley, Idaho.<sup>2/</sup> If, on the other hand, Native Broadcasters of Idaho desire the allotment of a Class A channel to Shelley, Idaho as its first local service,

---

1/ Pursuant to the Notice of Proposed Rule Making, this Counterproposal is filed on August 30, 1993, the comment deadline established in this proceeding.

2/ Channel 296C may be allotted to Shelley, Idaho with a site restriction 4.14 kilometers northwest of the community reference coordinates at 43° 25' 42" North Latitude, 112° 17' 52" West Longitude. As shown in the attached Channel Study, a large area to the northwest exists in which to locate a full spaced Channel 296C facility.

there is a choice of at least nine Class A channels<sup>3/</sup> which would not be mutually exclusive with the proposed allotment of Channel 298C to Sun Valley, Idaho that may be allotted to Shelley, Idaho without a site restriction.

Accordingly, it is hereby proposed that Channel 296C (or Channel 296A) be allotted to Shelley, Idaho to satisfy the expressed desire of Native Broadcasters of Idaho for first local service for Shelley, Idaho and that Channel 298C be allotted to Sun Valley, Idaho as proposed in the Notice of Proposed Rule Making.<sup>4/</sup> Sun Valley Fine Arts Broadcasting hereby restates that it has a present intention to apply for the Sun Valley channel if allotted, and if authorized, to build a station promptly.

Respectfully submitted,

**SUN VALLEY FINE ARTS BROADCASTING**

By: \_\_\_\_\_

  
John F. Garziglia  
Its Attorney

Pepper & Corazzini  
1776 K Street, N.W.  
Suite 200  
Washington, D.C. 20554  
(202) 296-0600

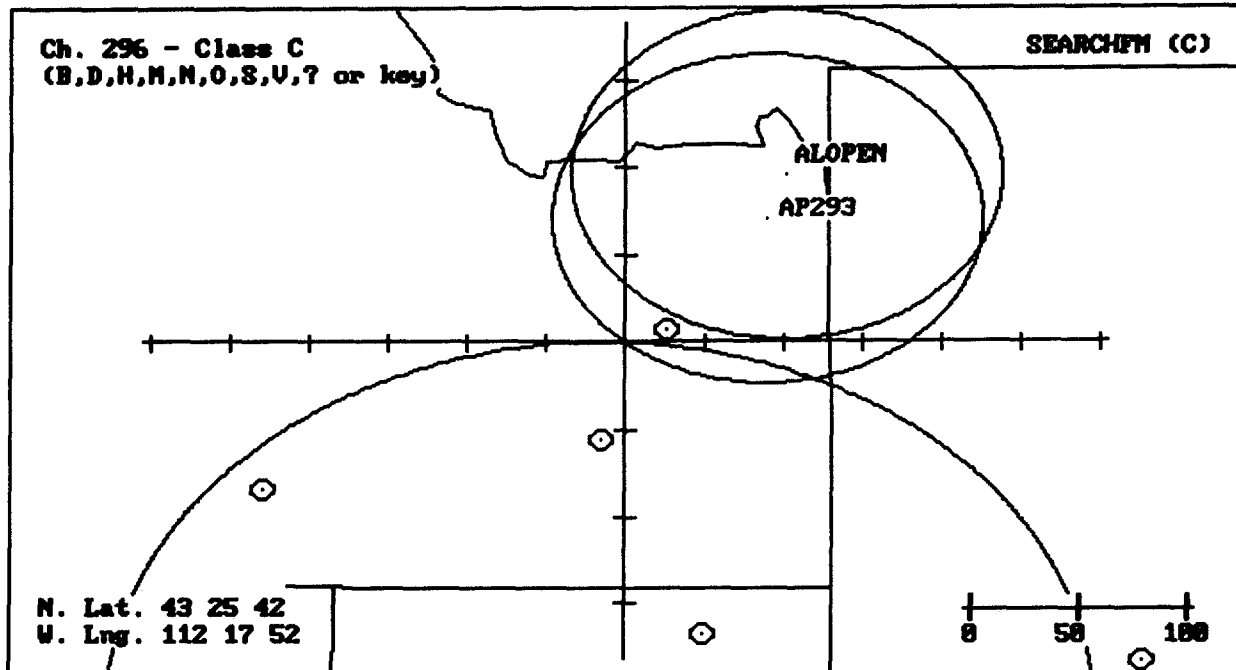
August 30, 1993

---

<sup>3/</sup> Channel 221A, Channel 222A, Channel 225A, Channel 283A, Channel 295A, Channel 296A, Channel 297A, Channel 299A or Channel 300A may be allotted to Shelley, Idaho without a site restriction.

<sup>4/</sup> Sun Valley Fine Arts Broadcasting hereby incorporates with this filing its previously filed August 3, 1993 Comments, its June 4, 1993 Petition for Rule Making, and its June 9, 1993 Supplement to Petition for Rule Making.

PEPPER & CORAZZINI  
WASHINGTON D.C. 20006



Channel 296C Allotment to Shelley, ID  
Site Restriction 4.14 km. NW

Search 08-30-93

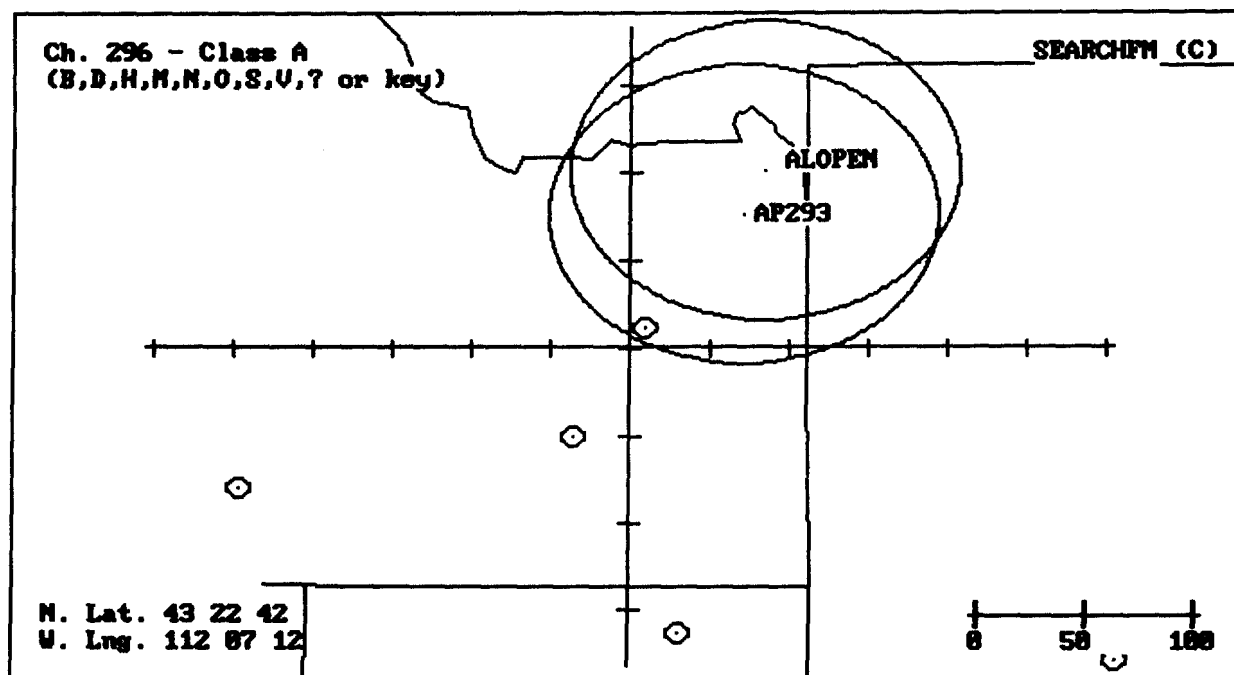
Data 07-28-93

Current rules spacings

CHANNEL 296 -107.1 MHz

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AP293	293C	Island Park	ID	41.2	105.05	105.0	0.05 <
KSOSFM	295C	Brigham City	UT	182.8	241.42	241.0	0.42 <
ALOPEN	293C	Island Park	ID	36.5	133.16	105.0	28.16

PEPPER & CORAZZINI  
WASHINGTON D.C. 20006



Channel 296A Allotment to Shelley, ID

Search 08-30-93

Data 07-28-93

Current rules spacings

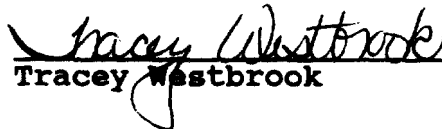
----- CHANNEL 296 -107.1 MHz -----

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AP293	293C	Island Park	ID	33.0	100.86	95.0	5.86
ALOPEN	293C	Island Park	ID	30.0	129.99	95.0	34.99

**CERTIFICATE OF SERVICE**

I, Tracey Westbrook, a secretary in the law firm of Pepper & Corazzini, do hereby certify that a true copy of the foregoing Further Comments and Counterproposal were sent this 30th day of August, 1993, first class U.S. mail, postage prepaid, to the following:

Lee W. Shubert, Esquire  
Haley, Bader & Potts  
4350 North Fairfax Drive  
Suite 900  
Arlington, Virginia 22203-1633  
(Counsel to Native Broadcasters of Idaho)

  
Tracey Westbrook